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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/874,089	06/05/2001	Jianming Zhang	JP9-2000-0190 (8728-521)	6207
46069	7590	08/30/2005	EXAMINER	
F. CHAU & ASSOCIATES, LLC 130 WOODBURY ROAD WOODBURY, NY 11797				
			ART UNIT	PAPER NUMBER
			2681	

DATE MAILED: 08/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/874,089

Applicant(s)

ZHANG ET AL.

Examiner

Julio R. Perez

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-21 and 23-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 9-21 and 23-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Allowable Subject Matter

1. The indicated allowability of claims 9-21, 23-25, is withdrawn. Claims 9-19 are rejected in view of the newly discovered reference to Lorello et al (6459904). Claims 20-21, 23-25, maintain the previous rejection based on newly interpretation of the reference to Lohtia et al. (6560456). Rejections based on the newly cited reference follow.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 9-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lohtia et al. (Hereinafter, Lohtia), Pat. No. US 6560456 in view of Lorello et al (Hereinafter, Lorello), Pat. No. US 6459904.

Regarding claims 9,15, Lohtia discloses a system of providing information service for mobile telephones, comprising: at least one application server, for receiving requests for information service, and providing results of the information service (col. 9, lines 15-22, the WWIS gateway is able to request information from different content providers: Fig. 3, refs. 315-318, the servers provide the data requested to users); at least one short message center, for forwarding short messages from/to the mobile

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telephones (col. 7, lines 17-67; col. 8, lines 1-39; col. 9, lines 4-49; Fig. 3, the SMSC, 307, is capable of transferring short messages to mobile subscribers); characterized by further comprising: a short message service gateway) comprising: a short message center interface for receiving /sending short messages from/to at least one short message center (col. 3, lines 22-25; col. 4, lines 22-25, 55-55, 66-67; col. 5, lines 1-5; col. 6, lines 66-67; col. 7, lines 1-15, 24-42, the system comprises the wireless infrastructure network corresponding to an interface to pass or receive information to a SMSC); and a short message service engine (col. 3, lines 22-25; col. 6, lines 66-67; col. 7, lines 1-15, 24-42, the WWIS gateway serves as an agent or tool to accept information requests from HLRs, SCPs, and SMSCs, and further, assembles requested information from databases and other service application providers or via the Internet or from local Distributed WWIS information database), in response to a request for information service included in a short message received by the short message center interface, for requesting the information service from said at least one application server and receiving result of the information service (col. 6, lines 66-67; col. 7, lines 1-5, 17-28; col. 9, lines 4-49; Figs. 2, 3, 4, the distributed is able to request and receive information from content providers via the Internet or directly via dedicated circuit, HTTP, IIOP, or TCP/IP), and then sending the result of the information service back to the short message center interface in a form of short message (col. 5, lines 65-67; col. 6, lines 1-5, 36-52, 66-67; col. 7, lines 1-5, 17-28; col. 9, lines 4-49; Figs. 2, 3, 4, information gathered from the content providers, secondary content providers, or personal information servers, is transmitted back to the user's handset through the SMS or Micro

browser server and formatted as short messages); wherein the at least one short message apparatus comprises a graphical user menu for graphically requesting the information service in lieu of entering a service code (col. 3, lines 22-25; col. 4, lines 22-25, 55-55, 66-67; col. 5, lines 1-5; col. 6, lines 66-67; col. 7, lines 1-15, 24-42).

Lohtia does not explicitly disclose the information system, wherein a short message center administrating device, for administrating a plurality of short message centers based on a short message center profile.

Lorello discloses a communication network for delivering short message service to a subscriber and includes a switching center, which manages and controls a group of message centers (Col. 6, lines 55-67-col. 7, lines 1-6; See also Figs. 1, 4A).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the communication system as taught by Lohtia by implementing the system with an MSC or multiple MSCs to control the various tasks of the short message centers because it would provide Lohtia's system with the enhanced capability of handling a smooth transfer of the SMS and without requiring significant and complex modifications to the SMS network devices.

Regarding claim 10, the combination Lohtia and Lorello discloses, characterized in that the short message service gateway further comprises: a short message center administrating device, for administrating a plurality of short message centers based on a short message center profile (Lohtia, col. 2, lines 37-40; col.7, line 28-36; col. 8, lines 29-42; Fig. 3, the system includes a subsystem to manage control of server systems based on subscribers' profile).

Regarding claims 11,16, the combination Lohtia and Lorello discloses, characterized in that the short message service gateway further comprises: a user administrating device, for administrating a plurality of users based on a user profile (Lohtia, col. 2, lines 37-48, Fig. 3, the system includes management of subscribers' profile).

Regarding claims 12, 17, the combination Lohtia and Lorello discloses characterized in that the short message service gateway further comprises: an apparatus administrating device, for administrating a plurality types of mobile telephones based on an apparatus profile (Lohtia col. 2, lines 37-48, Fig. 3).

Regarding claims 13, 18, the combination Lohtia and Lorello discloses, characterized in that the short message service gateway further comprises: an application administrating device, for administrating a plurality of application servers based on an application profile (Lohtia col. 2, lines 37-40; col.7, line 28-36; col. 8, lines 29-42; Fig. 3, the WWIS gateway manages a great number of content providers).

Regarding claims 14, 19, the combination Lohtia and Lorello discloses, characterized in that the short message service engine, based on items of information service for which a user has subscribed, requests the information service from said at least one application server and receives the result of the information service, and then sends the result of the information service back to the short message center interface in a form of short message (Lohtia, col. 3, lines 22-25; col. 6, lines 66-67; col. 7, lines 1-42; col. 9, lines 4-49; Figs. 2, 3, 4).

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 20-21, 23-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Lohtia et al. (Hereinafter, Lohtia), [US 6560456].

Regarding claim 20, Lohtia discloses a method of providing information service for mobile telephones, characterized by comprising steps of: receiving a personal key input (short message) from a mobile telephone (col. 1, lines 46-51; col. 2, lines 57-65; col. 3, lines 43-49; col. 4, lines 22-25; Figs. 2-4, SMS's, which are entered manually by a user), sent by the handset may be received by several SMS devices via a wireless network); extracting an information service code from the short message (col. 5, lines 65-67; col. 6, lines 1-5; Figs. 2-4, before any information is provided to a subscriber, the system requires a feature code to be entered in order to release any requested information); based on the information service code, retrieving results of the information service from at least one application server (col. 5, lines 65-67; col. 6, lines 1-5; col. 7, lines 17-42; Figs. 2-4, information required is requested by the WWIS server from a number of content servers); and combining the results of the information service into a short message and sending the short message to the mobile telephone (col. 5, lines 65-

67; col. 6, lines 1-5; col. 7, lines 17-42; Figs. 2-4 , information required is requested by the WWIS server from a number of content servers; the requested information is sent to the interested user).

Regarding claims 21, Lohtia discloses, characterized in that said steps and are performed by way of short message apparatus (col. 7, lines 17-67; col. 8, lines 13-47; col. 9, lines 4-49; Figs. 2-4).

Regarding claim 23, Lohtia discloses, characterized by further comprising a step of obtaining the information service code based on items of the information service for which a use has subscribed, without performing said steps and (col. 5, lines 65-67; col. 6, lines 1-5; col. 7, lines 17-42; Figs. 2-4).

Regarding claim 24, Lohtia discloses, wherein the step of receiving a personal key input from a mobile telephone comprises: receiving an abbreviated form of the short message from a mobile telephone (col. 5, lines 65-67; col. 6, lines 1-5; col. 7, lines 17-42; Figs. 2-4).

Regarding claim 25, Lohtia discloses, wherein the step of receiving a personal key input from a mobile telephone comprises: receiving a personal key input from a mobile telephone, wherein the personal key input is in a language different than the short message (col. 5, lines 65-67; col. 6, lines 1-5; col. 7, lines 17-42; Figs. 2-4).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julio R. Perez whose telephone number is (571) 272-7846. The examiner can normally be reached on 7:00 - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on (571) 272- 4090. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


JP
8/23/05


ERIKA A. GARY
PRIMARY EXAMINER